

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

ANDREW KNIGHT,

Petitioner,

v.

STEVIE KNIGHT,¹

Respondent

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CIV. NO. 22-2850 (RMB)

MEMORANDUM OPINION

IT APPEARING THAT:

1. On May 16, 2022, Petitioner Andrew Knight, a prisoner confined in FCI Fort Dix, in Burlington County, New Jersey, filed a petition for writ of habeas corpus under 28 U.S.C. § 2241, alleging the Federal Bureau of Prisons (“BOP”) unlawfully refused to calculate and apply his earned Time Credits under the First Step Act (“FSA”). ECF No. 1.

2. On August 15, 2022, Respondent filed an answer opposing relief, arguing that Petitioner failed to exhaust administrative remedies, and that his habeas petition was not ripe. ECF No. 4.

3. Petitioner filed a reply brief on August 31, 2022, asserting that exhaustion would have been futile, and that his petition was ripe. ECF No. 5.

¹ Stevie Knight, the Warden of FCI-Fort Dix, is automatically substituted for the United States of America as respondent. Fed. R. Civ. P. 25(d); *see also Saunders v. U.S. Parole Comm’n*, 665 F. App’x 133, 135 (3d Cir. 2016) (“In federal habeas proceedings, the proper party-respondent is the person who has custody over the petitioner. Thus, whenever a § 2241 habeas petitioner seeks to challenge his present physical custody within the United States, he should name his warden as respondent and file the petition in the district of confinement.”) (internal quotation marks omitted; citations omitted).

4. On November 15, 2022, Petitioner filed a supplemental brief (ECF No. 6), advising the Court that the BOP issued him an “FSA Time Credit Assessment” on October 9, 2022, but that he disagreed with that assessment.

5. On February 3, 2023, this Court ordered Respondent to respond to Petitioner’s reply brief. ECF No. 8.

6. On February 13, 2023, Respondent filed a supplemental brief (ECF No. 9), in compliance with this Court’s Order. Respondent states:

Petitioner’s January 19, 2023 FSA Time Credit Assessment reflects that Petitioner has earned 550 days of credit, which may be applied towards prerelease custody and/or early release. *See* [Cyntrena] Cross-Peart Supp. Decl. ¶ 10 [Docket No. 9-1] and Attach. C. Petitioner’s most recent FSA Time Credit Assessment also shows that he has been disallowed only 32 programs days from September 24, 2021, through October 26, 2021, when he was not in qualifying admit status. *See id.* ¶ 11 and Attach. C. At the time that he filed the Petition, Mr. Knight had a projected Good Conduct Time release date of October 5, 2024. *See id.* ¶ 12 and Attach. D. Because BOP has awarded 365 days of Petitioner’s earned credit toward early release, Petitioner’s release date is now October 6, 2023. *See id.* BOP will also apply any remaining FSA time credits (currently 185 days) that Petitioner earns toward prerelease custody and is in the process of determining the type of prerelease custody placement (RRC or home confinement) as well as the date of the transfer. *See id.* ¶ 13.

ECF No. 9 at 16–17. Petitioner has not responded to Respondent’s February 2013 supplemental brief or otherwise contended that he continues to dispute the BOP’s calculation of his Time Credits.

7. This Court finds that Petitioner has been afforded all relief available, a correct calculation of earned FSA Time Credits, and application of those credits to

early supervised release or prerelease custody. *See* ECF No. 9-1 at 4 (Supplemental Declaration of Cyntrena Cross-Peart, ¶¶ 10–13).

8. “If developments occur during the course of adjudication that eliminate a plaintiff’s personal stake in the outcome of a suit or prevent a court from being able to grant the requested relief, the case must be dismissed as moot.” *Blanciak v. Allegheny Ludlum Corp.*, 77 F.3d 690, 698–99 (3d Cir. 1996).

9. Petitioner has received all available habeas relief. Therefore, the petition is moot, and the Court will dismiss it.

An accompanying order follows.

DATE: November 3, 2023

s/Renée Marie Bumb
RENÉE MARIE BUMB
Chief United States District Judge